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EXAMINER

NGUYEN, PHUOC H

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 06/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/540,534

Applicant(s)

XIA, JAY X.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on March 18, 2003 (Paper No. 7). Original application contained claims 1-18. Claims 1, 7, and 13 have been amended. Claims 19-21 have been added. Amendment filed on March 18, 2003 have been entered and made of record. Therefore, pending claims 1-21 are presented for further consideration and examination.

### ***Response to Arguments***

2. Applicants' arguments have been fully considered but they are not persuasive.

Applicants argued that Leong does not teach the claimed invention as indicated in independent claims. This is not found persuasive. Leong clearly teaches a router having an interface component for a user to view and modify features of the router in real-time (Abstract; col. 5, lines 55-60; col. 6, lines 14-23; col. 2, lines 29-39; and col. 3, lines 63 through col. 4, lines 20; col. 7, lines 27-48; Figures 5, and 14). Leong's invention further teaches that user can telnet to view and modify the features of the router. As one should have known that when the telnet session is established between the user and the router processes in real-time. In Figure 5, Leong's invention also teaches the user to set the poll time interval, and by setting the poll time interval as small as possible to create a real-time equivalent. In Figure 4, Leong's invention further discloses the hierarchical tree (router, protocols, and interfaces) that is being presented to the user.

Therefore, the examiner asserts that the cited prior arts (Leong et al. U.S. Patent 6,269,398) teaches or suggests the subject matter broadly recited in independence claims 1, 7, and

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13. Claims 2-6,8-12, and 14-21 are rejected at least by virtue of their dependency on independent and by other reasons set forth in the previous office action [see Paper No. 6].

Accordingly, rejections for claims 1-21 are presented as below.

### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-21 rejected under 35 U.S.C. 102(e) as being anticipated by Leong et al. U.S. Patent 6,269,398.

5. Referring to claim 1, Leong reference discloses a routing component that implements routing protocols for data processed by the router (col. 9, lines 33 through col. 10, lines 9); and an interface component through which a user may view and modify features of the router, the interface component presenting the features of the router to the user as a hierarchical tree having

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attributes that store values relating to the router protocols and components that represent functionality of the router protocols, the components containing one or more sub-components or attributes (Abstract; col. 5, lines 55-60; col. 6, lines 14-23; col. 2, lines 29-39; col. 3, lines 63 through col. 4, lines 20; and col. 7, lines 27-48; Figures 5, and 14).

6. Referring to claim 2, Leong reference discloses the interface component is accessible by a user through a command-line interface (col. 2, lines 29-39; col. 3, lines 63 through col. 4, lines 20; and col. 6, lines 24-28).

7. Referring to claim 3, Leong reference discloses the interface component is accessible by a user through a graphical interface (col. 3, lines 63 through col. 4, lines 20; and col. 6, lines 24-28).

8. Referring to claim 4, Leong reference discloses the interface component updates the router component in real-time to reflect changes made by the user to the attributes or the components (col. 12, lines 26-39).

9. Referring to claims 5, and 6, Leong reference discloses the router is a dedicated hardware router, and a general purpose computer (col. 6, lines 44 through col. 7, lines 15).

10. Referring to claims 7, and 13, Leong reference discloses organizing features relating to routing protocols of a router into a hierarchically formatted component tree (Fig. 4; col. 10, lines 17-23; and col. 11, lines 26 through col. 12, lines 19); presenting a portion of the hierarchically formatted component tree to a user in response to a first command from the user (col. 13, lines 23-37); modifying the component tree in response to a second command from the user (col. 14, lines 7-67; and col. 13, lines 12-39); and updating, in real-time, features of the router relating to

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the routing protocol that were changed by the user when modifying the component tree (col. 14, lines 40-67; and col. 12, lines 26-39).

11. Referring to claims 8, and 14 Leong reference discloses the hierarchical component tree includes attributes that store values relating to the routing protocols and components that represent functionality of the routing protocols, the components containing one or more sub-components or attributes (fig. 4; and col. 12, lines 12-45).

12. Referring to claims 9, and 15 Leong reference discloses the first command is a display Command (col. 14, lines 22-41).

13. Referring to claims 10, and 16 Leong reference discloses the second command is a set preference command (col. 14, lines 6-67).

14. Referring to claims 11, and 17, Leong reference discloses the user inputs the first and second commands via a command-line interface (col. 2, lines 29-39; col. 3, lines 63 through col. 4, lines 20; col. 6, lines 24-28; and col. 14, lines 9-15).

15. Referring to claims 12, and 18, Leong reference discloses the user inputs the first and second commands via a graphical interface (col. 3, lines 63 through col. 4, lines 20; col. 6, lines 24-28; and col. 14, lines 7-67).

16. Referring to claims 19-21, Leong reference discloses router operating after an initial initialization, and the attributes being modified after the initial initialization, but before a subsequent initialization (Figures 3(a), and 3(b); and col. 13, lines 65 through col. 14, lines 67).

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17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

#### *Conclusion*

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Antur et al. U.S. Patent 6,212,558** discloses method and apparatus for configuring and managing firewalls and security devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu ( 7AM-4:30PM ) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen  
Examiner  
Art Unit 2143

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May 28, 2003



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100